



1. Authority to do Business:

Each Applicant must provide a copy of the following documents:

- ☐ A Certificate of Good Standing issued by the Delaware Secretary of State that is dated within the past 12 months and which certifies that the Applicant is in good standing and qualified to do business in Delaware.

To Be Provided as Exhibit 1

- ☐ A copy of the Applicant's Delaware Business License certifying that the Applicant is registered and/or qualified to do business in Delaware.

Provided in Exhibit 2

2. Delaware Registered Agent:

Each Applicant must provide a written designation of the name and address of a person who resides within the State of Delaware upon which service of any notice, order or process may be made. This information must be updated if changed.

____ Corporation Service Company _____

Name

2711 Centerville Rd. Suite 400, Wilmington, DE 19808 _____

Address

(866) 403-5272 _____

Phone

3. Performance Bonds:

Each Applicant must submit a copy of the performance bond or guarantee that they have obtained as security to the Electric Distribution Company, if required in the Service Agreement between the Applicant and the Electric Distribution Company.

☐ Required information is **provided in Exhibit** _____

☒ Performance bond or guarantee not required

4. Compliance with Regional Requirements:

☒ Proof of PJM Membership is **provided in Exhibit 3**

Financial, Operational, Managerial and Technical Ability. Each Applicant shall be required to present substantial evidence supporting their financial, operational, managerial and technical ability to render service within the State of Delaware.

5. Certified Financial Statements or other indicia of financial capability:

☒ Provide copies of certified financial statements (such as balance sheet, income statement, and statement of cash flows). These certified financial statements should be dated within twelve (12) months of the date of filing the application.

Provided in Confidential Exhibit 4

☐ Other indicia of financial capability submitted in support of the application. These other documents should be dated within twelve (12) months of the date of the filing

Provided in Exhibit _____

- 6. Demonstration of cash or cash equivalent:** All new Applicants shall demonstrate in their application that they possess a minimum of \$100,000 of assets in excess of encumbrances or a minimum of \$100,000 in cash, cash equivalents, or financial instruments that are reasonable liquid and readily available to meet their costs of providing electricity to Customers or any combination thereof.

Please indicate manner in which the Applicant demonstrates compliance with this requirement by checking the appropriate box(es):

- ☒ Cash or cash equivalent ☐ Certificate of Deposit
☐ Stock Proceeds or stockholder equity ☐ Letter of Credit
☐ Line of Credit ☐ Loan
☐ **Guarantee by Corporation, Co-partnership, or other person**
☐ Guarantee by subsidiary, affiliate, or corporation holding controlling interest
☐ Identifiable Assets

☒ Documentation in support of assets **provided in Confidential Exhibit 5.**

- 7. Description of the nature of the business being conducted:** Description of service, types of customers and geographic area to be served.

Description of service: Retail electricity supplier

Types of Customers: *Check all that apply*

- ☒ Residential ☒ Large Commercial
☒ Industrial ☒ Small Commercial

Geographic Area: *Applicant should check one or both*

- ☒ Delmarva Power & Light Service Territory
☒ Delaware Electric Cooperative Services Territory

- 8. States in which the Applicant is presently selling electric supply services or providing broker services:** Please provide a list states in which the Applicant (or any of its affiliated interests) is presently selling electric supply service to Retail Electric customers, the type of license (electric/gas), and the license number.

State: NY Status: Approved Type of License: gas & electric License No: 6481AT
 State: MD Status: Approved Type of License: gas & electric
 License No: (Gas) IR-3604 / (Electric) IR-3605
 State: _____ Status: _____ Type of License: _____ License No: _____
 State: _____ Status: _____ Type of License: _____ License No: _____
 State: _____ Status: _____ Type of License: _____ License No: _____

- 9. States in which the Applicant has any pending applications:** Please provide a list of all states in which the Applicant (or any of its affiliated interests) has pending applications to sell electric supply service to Retail Customers, the status of the application, type of license (broker/supplier), and the commission docket number (if available):

State: MA Status: pending Type of License: gas & electric License No: _____
 State: NJ Status: pending Type of License: gas & electric License No: _____
 State: PA Status: pending Type of License: gas & electric License No: _____
 State: _____ Status: _____ Type of License: _____ License No: _____
 State: _____ Status: _____ Type of License: _____ License No: _____

**If additional space is required please attach additional sheets of paper to the Application as necessary.*

☒ **Provided in Exhibit 6 (New York and Maryland Approvals)**

- 10. List of states in which Applicant has been denied approval and/or had authority revoked.**

State: _____ Date: _____
 State: _____ Date: _____

**If the Applicant has been denied approval or had its authority revoked by a state Commission please provide a detailed explanation for each state.*

☐ **Provided in Exhibit _____**

☒ **Applicant has never been denied or revoked**

- 11. List of states in which Applicant has withdrawn the application.** Please provide a list of all states in which the Applicant (or any of its affiliated interests) has withdrawn an application for certification.

**If the Applicant has withdrawn an application please provide a detailed explanation for the withdrawal for each state.*

☐ Provided in Exhibit _____

☒ Applicant has not withdrawn any applications

12. Relevant operational experience of each principal officer or managing member

responsible for Delaware operations. In order to fulfill the requirements of the Supplier Rules, an Applicant must present substantial evidence of technical and managerial ability by submitting, in an attachment, detailed resumes of each principal officer or managing member responsible for operations in Delaware.

☒ Provided in Confidential Exhibit 7

13. FERC Approval as a Marketer:

☐ Provided in Exhibit

FERC application pending. Applicant will supplement this application upon receipt of FERC approval.

14. Security Bond: **If the Applicant requires deposits, prepayments, financial guarantees or the like from customers then the Applicant must secure a bond with corporate surety licensed to business in Delaware guaranteeing the repayment of all customer deposits and advances upon the termination of service. The amount of the bond will be the greater of (i) 150 percent of the projected amount of the deposits and advances for the next one year period; or (ii) \$50,000. If at any time the actual amount of the deposits and advances held by the Applicant exceeds the amount projected, the amount of the bond shall be increased to comply with the requirement in the preceding sentence. The bond must be issued by a licensed Delaware surety Company.

☐ Yes, Applicant requires deposits, advance payments, prepayments, financial guarantees or the like from customers? (If yes, Applicant shall forward to the Commission Secretary the original bond in the appropriate amount)

Provided in Exhibit _____

☒ Security bond not required

15. Bankruptcy disclosure:

☒ Neither the Applicant nor its affiliated interests has filed bankruptcy in the past 24 months

☐ Exhibit _____ for an explanation of all bankruptcy proceedings filed by the Applicant in the past 24 months

16. Any other information:☐ Other material submitted in support of the Application.

Provided in Exhibit _____

☒ No other supporting material is provided**17. Verification of Application:** The Application must be verified by a principal or officer of the Applicant. (See Attachment A for an example)☒ Verification is provided in Exhibit 8**18. Consent to Jurisdiction:** All Electric Suppliers shall consent to the jurisdiction of the Delaware courts for acts or omissions arising from their activities in the State.

BY (signature):



TYPED /PRINTED NAME:

Leonard Scarola

TITLE:

Chief Financial Officer**19. Legal name of Applicant and the name under which the Applicant proposes to do business in Delaware.**Atlantic Energy MD, LLC

Full legal name of Applicant

Any fictitious name or "doing business as" (a/k/a) name: None
_____☐ Applicants with a fictitious name must submit a copy of the Registration of Trade, Business & Fictitious Name Certificate for each of the three Delaware counties in which the Applicant proposes to do business.

Provided in Exhibit _____

20. Home state of Applicant and contact information.Maryland

State of Incorporation or Formation of Applicant

One Shore Avenue, Unit # 1Oyster Bay, NY 11771

Physical Business Address

Name and Address of Principal Officer or Managing Member

Patrick Linden

One Shore Avenue, Unit # 1

Oyster Bay, NY 11771

- 21. Name, title, and telephone number of a Regulatory Contact Person:** This person will ordinarily be the initial point of contact for resolving complaints filed with the Commission. The Commission will also send any correspondence to this person. This information is required to be updated if there any changes.

Leonard Scarola

Name of Regulatory Contact

Chief Financial Officer

Title

1-800-917-9133

Telephone Number

leonard@atlanticenergyco.com

Email Address

- 22. Toll-free telephone number of Applicants customer service department:** This number will be listed on the Commission's website as a resource for existing and potential customers.

1-800-917-9133

Toll-free customer service number

23. Criminal activities statement:

☐ A statement detailing any criminal activities of which the Applicant or any of its affiliated interests has been charged or convicted, or which the principal or corporate officers of the Applicant or any of its affiliated interests has been charged or convicted. **Provided in Exhibit** _____

☒ Neither the Applicant nor its affiliated interests has been charged or convicted of any criminal activities

- 24. Waiver of certification requirements:** This section is applicable only to Applicants who request a waiver of any of the regulatory requirements. N/A

* Please note that not all regulatory requirements can be legally waived.

☐ Applicant requests a waiver of the requirements in Section(s) _____ of this application. Please provide a detailed explanation in support of the request for a waiver below:

25. ☒ No waiver requested **Public Notice of Filing:** Each Applicant shall publish notice of the filing of the application in two (2) newspapers having general circulation throughout the State in a form to be prescribed by the Commission.

- The form of notice will be forward to the Applicant upon receipt of the Application for an Electric Supplier Certificate
 - Affidavits of Publication for each public notice issued must be provided to the Commission **(The Company should upload a copy of the affidavits of publication into filing in DelaFile as a separate exhibit)**

26. **Contracts:** At the time of the filing, the Applicant shall either provide its Standard Contract for Residential and Small Commercial Customers or a link to it on the Applicant's website. Such contract is subject to review by the Commission Staff and if Staff determines that such contract is not consistent with the Supplier Rules, Staff shall have the authority to require changes in order to make it consistent with the Rules or the Electric Supplier faces denial of its Electric Supplier Certificate by the Commission after a hearing. Such contract shall be in clear and plain language and include explicit terms and conditions which at a minimum contain the following.

See Confidential Exhibit 9 hereto for sample contracts

- ☐ Clear statement of the duration of the contract
- ☐ The price stated in cents per kWh or a clear and unambiguous statement of the precise mechanism or formula by which the price will be determined
- ☐ A complete list of any other fees, including early termination penalties, late fees, and interest charges, which can be imposed on the customer, including but not limited to the magnitude of the fees and the specific conditions under which such fees can be imposed
- ☐ A statement of the Electric Suppliers termination rights, which shall explain the specific conditions, under which the Electric Supplier may terminate service. At a minimum, the Electric Supplier shall provide the Residential or Small Commercial Customer with at least 30 days' notice of termination of the contract and procedures to maintain on-going service
- ☐ The Electric Supplier's local or toll-free telephone number; address and web address, if applicable
- ☐ The Commission's address and telephone number
- ☐ A statement informing the Residential or Small Commercial Customer that, because of relocation outside of their current EDC's service territory, they (he/she) may terminate his/her contract with his/her Electric Supplier with no termination fee upon a 30-day notice in writing to the Electric Supplier
- ☐ A Residential or Small Commercial Customer has ten (10) calendar days from the day the EDC sends the confirmation letter to rescind his/her selection

Checklist of Required Items for Electricity Supplier Applications

- ☐ Delaware Certificate of Good Standing **Exhibit 1**
- ☐ Delaware Business License **Exhibit 2**
- ☐ Performance Bond (if required) **Exhibit**
- ☐ Proof of PJM Membership **Exhibit 3**
- ☐ Certified Financial Statements (dated within one year of filing) **Exhibit**
*If filed under confidential seal a redacted version and attestation must be
uploaded separately in DelaFile- **Exhibit 4**
Publicly traded applicants – recent annual report and SEC Form 10-K
Exhibit
- ☐ Demonstration of cash or cash equivalent (\$100,000 of assets in excess of
encumbrances) **Exhibit 5**
- ☐ States in which Applicant is presently selling electricity supply or providing
broker services and pending applications (*if additional space is required)
Exhibit 6
- ☐ States in which Applicant has any pending applications (*if additional space is
required) **Exhibit**
- ☐ List of states in which Applicant has been denied approval as a supplier or broker
and/or had its authority revoked (with detailed explanation) **Exhibit**
- ☐ List of states in which Applicant has withdrawn an application (with detailed
explanation for the withdrawal from each state) **Exhibit**
- ☐ Professional resumes of each principal officer responsible for Delaware
operations **Exhibit 7**
- ☐ FERC Approval as a Marketer **Exhibit 7**
- ☐ Security Bond (*if Applicant requires deposit, prepayments, etc.) **Exhibit**
- ☐ Any other information **Exhibit**
- ☐ Bankruptcy disclosure **Exhibit**
- ☐ Verification of Application **Exhibit 8**
- ☒ Consent to Jurisdiction
- ☐ Fictitious Name (d/b/a or a/k/a) – Registration of Trade, Business & Fictitious
Name Certificate (for each Delaware County) **Exhibit**
- ☐ Criminal Activities Statement (*if required) **Exhibit**
- ☐ Residential/Small Commercial Contracts **Exhibit 9**